

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MAJOR LEAGUE BASEBALL
PROPERTIES, INC. and CHICAGO CUBS
BASEBALL CLUB, LLC,

Plaintiffs,

v.

TOUSSIANT STEVENS; STEVE RUSSELL;
RICHARD JEKEL; HOWARD KADET;
PETE GADBERRY; HARRY GIBSON,
individually and d/b/a Offcenter Marketing;
JASON ALSPAUGH, individually and d/b/a
Chi Apparel; LARRY BOISSEAU; BYRON
YABLON; JOHN YABLON; JOSE
VILLAREAL; RAMON RIOS; RICHARD
WELLS; DEESCO PERRIMAN, JR.; and
DOES 1-30,

Defendants.

Civil Action No. 1:16-cv-09140

**PLAINTIFFS' MOTION FOR LEAVE TO FILE
THEIR SECOND AMENDED COMPLAINT**

Plaintiffs Major League Baseball Properties, Inc. and Chicago Cubs Baseball Club, LLC request leave to file their Second Amended Complaint. In support of this motion, Plaintiffs state the following:

1. Plaintiffs request leave to file their Second Amended Complaint in order to substitute Defendants Michael Quatrine and Raymond Miller for two previously named Does.
2. Defendants Michael Quatrine and Raymond Miller have been served with summons and copies of the First Amended Complaint and the Extended *Ex Parte* Temporary Restraining Order, and Seizure and Impoundment Order. Plaintiffs have filed concurrently the proof of service as to Defendants Michael Quatrine and Raymond Miller.

3. Federal Rule of Civil Procedure 15(a)(2) allows parties to amend their pleadings with the district court's leave, which should be freely given when justice so requires. Under this broad standard, the district court should "allow amendment unless there is a good reason—futility, undue delay, undue prejudice, or bad faith—for denying leave to amend." *Life Plans, Inc. v. Sec. Life of Denver Ins. Co.*, 800 F.3d 343, 357–58 (7th Cir. 2015) (citing *Foman v. Davis*, 371 U.S. 178, 182 (1962)). None of the exceptions that might justify denying amendment is present in this case.

For these reasons, Plaintiffs Major League Baseball Properties, Inc. and Chicago Cubs Baseball Club, LLC request leave to file their Second Amended Complaint.

Dated: October 11, 2016

RILEY SAFER HOLMES & CANCILA LLP

By: /s/ Matthew C. Crowl

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